



North Carolina Department of Public Safety

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Pat McCrory, Governor

Frank L. Perry, Secretary

January 29, 2015

Nancy Rivera
Associate Manager, Cost Effectiveness
USAC, Schools and Libraries Division
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

Re: FCC Form 471 Application Number(s): 903594

Dear Ms. Rivera:

This letter is in response to your letter dated January 22, 2015 regarding the Program Integrity Assurance (PIA) team process of reviewing the Funding Year 2013 FCC Form 471 Applications for E-rate discounts. The North Carolina Department of Public Safety, Division of Adult Correction and Juvenile Justice (NCDPS-DACJJ) maintains a school within our juvenile justice facilities. The school within the Division is part of a larger State agency. The NC General Statutes requires state agencies to buy telecommunications and Internet access from the State Office of Information Technology Services (ITS). As such, the bid and procurement process is done by ITS and not NCDPS-DACJJ.

N.C. Gen. Stat. § 147-33.91 states that the Office of Information Technology Services shall "(1) [p]rocure all information technology for State Agencies." A State agency is defined as "any department, institution, commission, committee, board, division, bureau, office, officer, or official of the State." See N.C. Gen. Stat. § 147-33.81 (6). As defined by N.C. Gen. Stat. § 147-33.81 (6), the Division of Adult Correction and Juvenile Justice would be considered a State agency for the purposes of Chapter 147 of State Information Technology Services.

Furthermore, N.C. Gen. Stat. § 147-33.91 (a) states that the "State Chief Information Officer, in cooperation with affected State agency heads, may:

(1) Provide for the establishment, management, and operation, through either State ownership, contract, or commercial leasing, of the following systems and services as they affect the internal management and operation of State agencies:

a. Central telephone systems and telephone networks.

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i. The "State Network", managed by the Office, which means any connectivity designed for the purpose of providing Internet Protocol transport of information to any building.

Therefore, we respectfully ask that you do not deny the FRN 2482546. I have attached a copy of the above NC General Statutes. I highlighted the relevant parts in yellow. If you need any additional information, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read 'William M. Polk', with a long horizontal flourish extending to the right.

William M. Polk
Special Counsel
North Carolina Department of Public Safety